

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**NOVEMBER 8, 2004**

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the BUDGET meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Monday, November 8, 2004, at 9:00 a.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans,  
Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Fleck, Van  
Deurzen, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Supervisor Van Den Heuvel arrived at 9:17 a.m.

Total Present: 26

**No. 1 -- Adoption of agenda.**

A motion was made by Supervisor Krueger and seconded by Supervisor Nicholson **“to adopt the agenda as modified by adding number 8c(i) Executive Committee Report of November 8, 2004”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 2 -- Approval of minutes of County Board Meeting of October 20, 2004.**

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Deurzen **“to adopt the minutes of the October 20, 2004 meeting”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 3 -- Announcements by Supervisors.**

Supervisor Lund announced he will be participating in the Kettle Drive for the Salvation Army. He encouraged all Supervisors to volunteer their time for this worthy cause.

**No. 4 -- Communications.**

**No. 4a -- Communication from City of De Pere regarding: Resolution #04-139, Amended Relocation Order for Transportation Purchases.**

Refer to Planning, Development and Transportation Committee.

**No. 5 -- Appointments by County Executive. (None)**

**No. 6a -- Report by County Executive. None.**

**No. 6b -- Report by Board Chairman.**

Chairman Moynihan requested that today's Budget Hearing be purposeful and deliberate in decision-making. He asked that Supervisors have their motions written in advance. In reference to the 10:00 a.m. Public Hearing, he announced to the public that each person speaking will be allowed 3 minutes.

**No. 7 -- Other Reports.**

A motion was made by Supervisor Zima and seconded by Supervisor Fleck "receive and place on file." Voice vote taken. Motion carried unanimously with no abstentions.

**No. 7a -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JULY 2004**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of July 31, 2004

Associated Bank	\$ 10,534,634.71
Wisconsin Development Fund	820.21
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	3,904,881.85
Emergency Fund	(52,266.24)
Non-sufficient Fund Checks Redeposited	1,313.75
PBA Sweep Account	(10,942.80)
Wausau Benefit Sweep Account	(475,180.61)
E-Flex Sweep Account	(6,680.66)
Deposit Adjustment	0.00
Bank Error(s)	0.00
<b>Total</b>	<b><u>13,896,580.21</u></b>
Less Outstanding Checks	(2,196,925.13)
Other Reconcilable Items	0.00
<b>Balance Per Cash Book</b>	<b>\$ 11,699,655.08</b>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of July 31, 2004

Year-to-Date Interest Received – Prior Month	1,032,141.46
Interest Received – Current Month	<u>143,472.63</u>
Year-to-Date Interest Received on Unrestricted Funds	<b>\$ 1,175,614.09</b>

Working Capital Reserves Invested	139,724,745.36
Restricted Investments	<u>18,077,548.62</u>
Total Funds Invested	<b>\$ 157,802,293.98</b>

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of July 31, 2004 and the Statement of Investments for the month of July have been compared and examined, and found to be correct.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

### **TREASURER'S FINANCIAL REPORT FOR THE MONTH OF AUGUST 2004**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of August 31, 2004

Associated Bank	\$ 8,465,160.61
Wisconsin Development Fund	8,086.18
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	73,230.14
Emergency Fund	(45,964.24)
Non-sufficient Fund Checks Redeposited	0.00
PBA Sweep Account	(11,007.32)
Wausau Benefit Sweep Account	(253,122.06)
E-Flex Sweep Account	(2,211.27)
Deposit Adjustment	0.00
Bank Error(s)	0.00
<b>Total</b>	<b><u>8,234,172.04</u></b>
Less Outstanding Checks	(633,510.30)
Other Reconcilable Items	<u>0.00</u>
<b>Balance Per Cash Book</b>	<b>\$ 7,600,661.74</b>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of August 31, 2004

Year-to-Date Interest Received – Prior Month	1,175,614.09
Interest Received – Current Month	<u>213,250.73</u>
Year-to-Date Interest Received on Unrestricted Funds	<b>\$ 1,388,864.82</b>
 Working Capital Reserves Invested	 102,486,392.60
Restricted Investments	<u>29,400,869.92</u>
Total Funds Invested	<b>\$ 131,887,262.52</b>

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of August 31, 2004 and the Statement of Investments for the month of August have been compared and examined, and found to be correct.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

**No. 8 -- Standing Committee Reports.**

**No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF OCTOBER 27, 2004  
(non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session (**non-budget items**) on October 27, 2004, and recommends the following motions:

1. Review minutes of:
  - a) Housing Authority (9/20/04). Approve.
2. Communication from Supervisor Tom Hinz regarding: Resurrect Facilities Master Plan Committee to review and revise the 2003 Master Plan for Brown County to address future needs. (Referred from Special County Board Meeting of September 29, 2004). Held until December meeting.
3. Human Resources – Monthly Committee Report (October 2004). Committee approved.
4. Human Resources – Report concerning the grade placement appeal of the Chief Deputy County Clerk and other County employees. (Administration Committee Report 8a, #9b; referred back to Committee from October County Board.) **(This was inadvertently sent to Administration Committee and should have been sent to Human Resources.)**
5. Corporation Counsel – Resolution regarding: Disallowance of Claim (SBC Ameritech) – August 17, 2004. Committee approved. See Resolutions, Ordinances November County Board.
6. Corporation Counsel – Resolution regarding: Disallowance of Claim (Kelley J. Stevens & Kristen Mikovich). Committee approved. See Resolutions, Ordinances November County Board.

7. Department of Administration – 2004 Budget Transfer Log. Receive and place on file.
8. Treasurer’s financial report for the months of July and August 2004. Approve.
9. Treasurer – Write-off of uncashed checks. Approve.
10. Treasurer – Offer to purchase property parcels 8-126. Approve.
11. Audit of bills. Committee approved bills.

A motion was made by Supervisor Graves and seconded by Supervisor Van Deurzen “**to adopt**”. Supervisors Zima, Vander Leest, Krueger, and Scray abstained from item #1 (Review of the Housing Authority minutes of 9/20/04). Voice vote taken. Remainder of report passed unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 11/29/2004

**No. 8b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF OCTOBER 28, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session (**non-budget items**) on October 28, 2004, and recommends the following motions:

1. Review minutes of:
  - a) Museum Sub Committee (10/13/04).
  - b) Library Board (10/4/04).Receive and place on file.
2. Arena/Expo Centre – Attendance Report (September 2004). Receive and place on file.
3. Museum – Visitor Count (September 2004). Approve.
4. Museum – Update regarding: Communication from Supervisor Michael Frohna relating to the Interim Museum Director position. Receive and place on file.
5. Museum – Director’s report. Receive and place on file.
6. Library – Communication from Supervisor Joe Backmann regarding: Looking into the Purpose of having separate facilities department under library budget instead of consolidation under the Brown County Facilities Department. (Held from previous meeting.) Hold for 90 days.
7. Library – Introduction of new Library Director. No action.
8. Golf Course – Daily Financial and Attendance Report (September 2004). Receive and place on file.
9. Golf Course – Superintendent’s report. Receive and place on file.
10. Communication from Supervisor Van Den Heuvel regarding: Limiting the number of golf outings at the Brown County Course to no more than five per year beginning in 2005. Receive and place on file.
11. Parks – Report on Brown County Fair by Dick Koltz, President of Brown County Fair Association. Receive and place on file.

12. Parks Director's Report. Receive and place on file.
13. Parks – Action to award bid for snowmobile bridge over Neshota River funded through the snowmobile trail grant (see attached). Approve bid from United Construction in the amount of \$27,885.
14. NEW Zoo – monthly activity report for September 2004. Receive and place on file.
15. Audit of bills. Pay the bills.
16. Discussion of next meeting date. (First Thursday in December @ 5:30 p.m.).

ATTACHMENT TO ITEM #13

BID TABULATION RECORD			
<b>PROJECT: SNOWMOBILE BRIDGE CONSTRUCTION</b>			
<b>PROJECT #: 1117</b>			
<b>DATE: OCTOBER 4, 2004 AT 11:00 A.M.</b>			
CONTRACTOR	TOTAL COST	WARRANTY	ADD #1
McMullen & Pitz Construction	12000 lb. Bridge, \$44,540.00	10 Years	X
	19000 lb. Bridge, \$49,715.00	10 Years	X
Schuh Construction	\$65,262.00	1 Year	X
Great Lakes Marine	Steel w/Timber Deck, \$43,165.00	5 Years	X
	Timber w/Steel Beams, \$34,900.00	5 Years	X
	Plus additional \$6,000.00 for 2x6 wear course		
United Construction	\$27,885.00	1 Year	X
	Alternate w/1x6 oak wear surface, add \$1300.00		
Custom Manufacturing	\$47,200.00	1 Year	X

A motion was made by Supervisor Graves and seconded by Supervisor Nicholson **“to adopt”**.  
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 11/22/2004

No. 8c -- **REPORT OF EXECUTIVE COMMITTEE OF NOVEMBER 1, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY BOARD  
OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session (**non-budget items**) on November 1, 2004 and recommends the following motions:

1. County Executive Report. (No report.)
  2. Legislative Subcommittee Report. No action.
  3. Internal Auditor Report.
    - a) Undesignated General Fund.  
Receive and place on file.
  4. Communication from Supervisor Vander Leest regarding: Requesting to amend County Code to add requirement of a fiscal note for all County Board resolutions voted on. Schenck Audit Report for 2003 referenced this information. (Referred from October County Board.) Refer this to staff.
  5. \*\* Communication from Supervisor Fewell requesting the Executive Committee review State Statutes 59.60 and consider adopting these state provisions that would require the County Executive to bring the budget forward on or before October 1. (Referred from October County Board.) Receive and place on file. Ayes: 4 (Dantinne, Haefs, Lund, Vander Leest); Nays: 3 (Evans, Moynihan, Kaye). Motion Carried.
- \*\* ITEM NUMBER 5 WAS REFERRED BACK TO THE EXECUTIVE COMMITTEE AS PER THE COUNTY BOARD ON 11/8/2004.
6. Communication from County board Chair Moynihan regarding: Expense and Mileage Reimbursement. (Referred from October County Board.) Received and place on file.
  7. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85(1)(g) of the Wisconsin State Statutes.
    - a) Enter into closed session.
    - b) Return to regular order of business.
    - c) No action taken.

A motion was made by Supervisor Fleck and seconded by Supervisor Vander Leest “to adopt”. Supervisor Fewell requested item #5 be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #5 – Communication from Supervisor Fewell requesting the Executive Committee review State Statutes 59.60 and consider adopting these state provisions that would require the County Executive to bring the budget forward on or before October 1. (Referred from October County Board.) COMMITTEE ACTION: Receive and place on file. Ayes: 4 (Dantinne, Haefs, Lund, Vander Leest); Nays: 3 (Evans, Moynihan, Kaye). Motion carried.

A motion was made by Supervisor Fewell and seconded by Supervisor Krueger **“to have the budget presented four weeks prior to the County Board Budget Meeting.”**

Discussion followed.

A motion was made by Supervisor Zima and seconded by Supervisor Van Deurzen **“to refer back to Executive Committee”.**

Discussion on referral.

Voice vote taken on motion **“to refer back to Executive Committee”.** Motion carried **“to refer item #5 back to Executive Committee”.**

Approved by:       \s\ Carol Kelso, County Executive      

Date: 11/22/2004

**No. 8c(i) -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE OF NOVEMBER 8, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in *“special”* session on November 8, 2004 and recommends the following motions:

1. Request for Tolling Agreement Related to Fox River/Green Bay Hazardous Substance Contamination from Appleton Papers, Inc. (see attached). Committee approved request. Ayes: 5 (Haefs, Moynihan, Kaye, Dantinne, Evans, Lund); Abstain: 1 (Moynihan); Excused: 1 (Vander Leest). Motion Carried.



ATTACHMENT TO ITEM #1

**Appleton Papers, Inc.**

**NCR Corporation**

October 18, 2004

**By Federal Express**

Brown County  
Attn: John C. Jacques  
Corporation Counsel Office  
305 E. Walnut Street  
P O Box 23600  
Green Bay, WI 54305-3600

Re: Request for Tolling Agreement Related to Fox River/Green Bay  
Hazardous Substance Contamination

Dear Mr. Jacques:

We are writing on behalf of Appleton Papers Inc. ("API") and NCR Corporation ("NCR") concerning the ongoing efforts to respond to hazardous substance contamination in the Lower Fox River and Green Bay (the "Fox River Sites"). Sediments in the Fox River Sites contain polychlorinated biphenyls and other hazardous substances. According to the United States, the State of Wisconsin, the State of Michigan and certain Native American Indian tribes (collectively, the "Inter-Government Parties" or "IGP"), these hazardous substances are present at levels that necessitate remedial action and/or that have caused natural resource damages. In 2003, the United States and the State of Wisconsin released their plans (called Records of Decision) for the remedial action to be performed at the Fox River Sites. The Records of Decision call for the removal and disposal of a substantial quantity of the sediment in the Fox River Sites. The IGP has estimated that the cost of the remedial and the natural resource damage restoration work together will exceed \$500 million. Other estimates have put the number higher.

API and NCR have been taking tangible steps to address hazardous substance contamination present in the Fox River Sites. API and NCR have tried to work with the IGP and with other interested parties to identify, evaluate, and fund projects directed toward the remedial and restoration efforts. In particular, in December 2001, API and NCR entered into a Consent Decree with the IGP to contribute \$41.5 million toward projects designed to address the hazardous substance contamination and associated natural resource damages. In addition, in 2004, NCR and Fort James Operating Company agreed to design the remedy for the lower portion of the Fox River Sites (from the end of Little Lake Butte des Morts out into Green Bay). As a result of payments made pursuant to this Consent Decree and its other work in connection with the Fox River Site, API and NCR have already incurred substantial costs in responding to hazardous substance contamination, consistent with the National Contingency Plan. For instance, API's and NCR's costs in complying with the 2001 Consent Decree alone exceed \$25 million.

The United States has notified eight companies that it considers potentially responsible for the contamination in the Fox River Site: Appleton Papers Inc., Fort Howard Corporation (now known as Fort James Operating Company), Menasha Corporation, NCR Corporation, P.H. Glatfelter Company, Riverside Paper Corporation, U.S. Paper Mills, Inc. (now known as Sonoco U.S. Mills, Inc.), and Wisconsin Tissue Mills, Inc. (now known as WTM I Company). API and NCR are aware of reports that indicate that a number of other companies and entities, including many units of local government in the area, may also be responsible for discharges of hazardous substances to the Fox River Sites – and therefore responsible, under the federal Superfund law and other authorities, to contribute toward the cleanup and natural resource restoration efforts.

API and NCR are contacting you and other units of local government based on a number of factors, including operation of publicly-owned treatment works that have discharged hazardous substances to the river and participation in historical dredging projects in the river and the bay. We believe these facts demonstrate a contribution of hazardous substances to the Fox River Sites by the units of local government we are contacting. As a result, pursuant to 42 U.S.C. §§ 9607 and 9613, these governmental entities are liable for their fair share of the response costs and natural resource damages incurred at the Fox River Sites.

Although API and NCR believe that these entities have liability associated with the Fox River Sites, API and NCR would prefer to continue their course of working cooperatively to respond to the hazardous substance contamination, concentrating their resources on the cleanup effort and leaving disputes over responsibility until later. In addition, API and NCR are concerned that litigation at this time could interfere with efforts to design the remedy that are currently underway involving several companies and the IGP.

API and NCR are contacting you now because it is nearing the third anniversary of the entry of the 2001 Consent Decree. While API and NCR do not believe that the entry of the 2001 Consent Decree began the running of any applicable statute of limitations, we would prefer to avoid any argument on that issue. Accordingly, API and NCR are asking these governmental entities to enter into tolling and standstill agreements with API and NCR. A copy of the proposed agreement is enclosed. The thrust of the agreement is that (i) each party would agree not to sue the other with respect to claims involving the Fox River Sites; and (ii) each party would concurrently agree to “toll” any statute of limitations that might apply to such claims. Such an agreement would preserve the “status quo”. In this way, efforts to find a remedy and solution for the Fox River Sites could continue without subjecting any party to the cost, distraction, risk and other repercussions of litigation of this type. Importantly, API and NCR emphasize that they are not seeking any financial or other contribution from any entity at this time, and nothing in the attached tolling and standstill agreement would require any entity to admit any liability or accept any responsibility for costs at the Fox River Sites.

Please let us know as soon as possible, but in any event no later than November 15, if you would be willing to sign the enclosed tolling and standstill agreement. While API’s and NCR’s preference is to focus their resources on the cleanup and restoration efforts, and to avoid wasteful litigation, you should understand that if parties refuse to cooperate and preserve the legal status quo, API and NCR may have no other choice but to bring suit on their claims.

If you have an questions, please do not hesitate t contact J. Andrew Schlickman (312-853-7404) and John M. Heyde (312-853-7716), both of Sidley Austin Brown & Wood LLP. You should also feel free to contact Randall Stone, with the U.S. Department of Justice (202-514-1308) or Jerry Hancock, with the Wisconsin Department of Justice (608-267-8948).

Sincerely,

\s\ Paul J. Karch  
Vice President,  
Law and Public Affairs  
Appleton Papers, Inc.

\s\ Jon S. Hoak  
Senior Vice President and  
General Counsel  
NCR Corporation

### **FOX RIVER TOLLING AND STANDSTILL AGREEMENT**

This Fox River Tolling and Standstill Agreement (“Agreement”) is made by and between NCR Corporation (NCR), Appleton Papers Inc. (API), Arjo Wiggins Appleton p.l.c. (AWA), and Brown County, Wisconsin (“Brown County”) (sometimes collectively referred to herein as the “Parties” or individually as the “Party”) whose authorized representatives executed this Agreement.

WHEREAS, there is polychlorinated biphenyl (“PCB”) and other hazardous substance contamination in certain sediments of the Lower Fox River and Green Bay (“Fox River Contamination”).

WHEREAS, the United States, the State of Wisconsin, the State of Michigan, and several Native American Indian tribes (collectively, the Intergovernmental Parties or “IGP”) have asserted that certain entities, including NCR and API, contributed to some degree to the Fox River Contamination, and therefore may be responsible to conduct remedial action in response to the Fox River contamination and/or pay response costs and/or natural resource damages incurred as a result of the Fox River Contamination.

WHEREAS, certain entities, including NCR and API, have previously entered into agreements, administrative orders and/or consent decrees with some or all of the IGP relating to the Fox River contamination, including but not limited to the Consent Decree in No. 01-C-0816, entered by the Court on December 10, 2001 (involving the United States, the State of Wisconsin, Appleton Papers Inc. and NCR Corporation).

WHEREAS, pursuant to these agreements, administrative orders and consent decrees, and otherwise, certain entities, including NCR and API have incurred costs and damages in connection with the Fox River Contamination for which they may be entitled to seek recovery or contribution under applicable law, including but not limited to 42 U.S.C. § 9613.

WHEREAS, these claims for recovery or contribution may be subject to certain statutes of limitations that, if applicable, could potentially require that these claims be brought prior to the conclusion of activities under these agreements, administrative orders, and consent decrees.

WHEREAS, the initiation of cost recovery and contribution litigation, at this time, would likely have a deleterious effect on activities under these agreements, administrative orders, and consent decrees, and on any other settlement discussions.

WHEREAS, the Parties have therefore decided that it is in their collective best interests to agree, for a limited period and subject to termination as provided below, to avoid cost-recovery or contribution litigation at this time and to toll all applicable statutes of limitation.

NOW, THEREFORE, in consideration of the foregoing, the Parties mutually agree as follows:

1. During the Effective Period of this Agreement, as defined in Paragraph 3, below, NCR and API, on behalf of themselves, their successors and assigns, covenant not to sue Brown County on any claims they may have arising in connection with the Fox River Contamination. This covenant not to sue terminates at the end of the Effective Period.

2. In consideration of the foregoing, Brown County, on behalf of itself and its successors and assigns, agrees that the Effective Period shall not be included in the calculation of the time that has elapsed for purposes of determining whether NCR's and API's Claims against Brown County are barred by any applicable statute of limitations, statute of repose, laches, or any other bar or restriction based on timing. For the purpose of this Agreement, "Claim" shall mean any claim relating to or arising in connection with the Fox River Contamination.

3. The "Effective Period" shall mean that period of time beginning with the date on which this Agreement is executed by all Parties and continuing until thirty (30) days after the day on which any Party provides notice to all the other Parties, pursuant to Paragraph 4, below, that it wishes to terminate the Agreement.

4. Each Party has the right to terminate this Agreement at any time. Notice to terminate this Agreement shall be provided to the other Parties by such means that will ensure its timely receipt, and will be deemed to have provided on the date that the other Party actually receives the notice. Notice shall be sent to each Party's representative, as designated on Exhibit A. Each Party shall have the right to change its representative upon ten (10) days written notice to the other Parties.

5. This Agreement contains the entire Agreement between the Parties, and this Agreement may not be enlarged, modified, or altered except in writing signed by the Parties.

6. Nothing in this Agreement should be construed to indicate, or as an admission, that any applicable statute of limitations has begun to run or has expired. Nothing in this Agreement shall be construed as revising or altering any statutes of limitations that expired prior to the date of this Agreement. The Parties agree that nothing in this Agreement shall be construed as an admission of liability, responsibility or fault in connection with the Fox River Contamination. The Parties agree that nothing in this Agreement shall be construed as a waiver of any claim, defense, argument or position that any Party may have against any other Party or

other entity with respect to the Fox River Contamination, except as specifically stated in this Agreement.

7. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original; but all of which together shall constitute one and the same instrument.

8. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties hereto.

9. This Agreement shall become effective on the date it has been executed by all Parties to the Agreement.

IN WITNESS WHEREOF, the Parties shall cause this Agreement to be executed by their respective duly authorized representatives.

NCR CORPORATION

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPLETON PAPERS INC.

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

BROWN COUNTY, WISCONSIN

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

A motion was made by Supervisor Vander Leest and seconded by Supervisor Johnson **“to adopt the Request for Tolling Agreement Related to Fox River/Green Bay Hazardous Substance Contamination from Appleton Papers, Inc.”**.

During discussion, Chuck Larcheid, Director of Solid Waste Department, stated that this agreement is a requirement in order for the Corps of Engineering to be able to begin dredging.

Supervisor Moynihan requested to abstain from this item because it involves the paper industry of which he is an employee.

A motion was made by Supervisor Kaye and seconded by Supervisor Van Deurzen **“to adopt”**.  
Vote taken. Roll Call #8c(i)(1):

Ayes: Graves, Nicholson, Theisen, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Zabel, Scray, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Krueger, Collins

Abstain: Moynihan

Total Ayes: 22                      Total Nays: 3                      Abstain: 1

Motion carried.

Approved by:       s      Carol Kelso, County Executive      

Date: 11/22/2004

No. 8d -- **REPORT OF HUMAN SERVICES COMMITTEE OF OCTOBER 20, 2004**  
**(non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session (**non-budget**) on October 20, 2004, and recommends the following motions:

1. Review minutes of:
  - a) Homeless Issues and Affordable Housing Subcommittee (9/21/04).
  - b) Veterans' Recognition Subcommittee (9/16/04).
  - c) Children with Disabilities Education Board (8/11/04 and 9/15/04).
  - d) Aging Resource Center (9/24/04).
  - e) Community Options Program Appeals Committee (9/27/04).Approve items a-e.
2. Juneau County Resolution (#04-51) re: ICF-MR Downsizing. (Referred from Legislative Subcommittee.) Send to Corporation Counsel and ask for a similar resolution to be drawn up that we can send to the State of this issue.
3. Health Department – Communication from Supervisor Nicholson regarding: Health Department to have DNR take air samples at Packerland. (Referred from September 15, 2004 County Board.) Refer to staff for ongoing monitoring and give an updated report in sixty days.
4. Health Department – Director's report. Receive and place on file.
5. Human Services Department – Communication from Supervisor Fewell regarding: Adolescent Services. (Referred from September 15, 2004 County Board.) Refer to Dr. Parks for a recommendation.
6. Human Services Department – Communication from Supervisor Fewell regarding: Architectural Plans for Mental Health Center. (Referred from September 15, 2004 County Board.) Receive and place on file.
7. Human Services Department – Communication from Supervisor Fewell regarding: Average Daily Census of Brown County Residents in Brown County Mental Health Center for the Past 10 Years. (Referred from September 15, 2004 County Board.) Receive and place on file.
8. Human Services Department – Communication from Supervisor Pat Collins regarding: Refer all options for renovated Mental Health Center to Human Services Committee for recommendation at next County Board meeting. (Referred from Special September 29, 2004 County Board.) Bring back for discussion next month.
9. Human Services Department – Interim Assistance/General Relief. (Held from previous meeting.) Adopt the recommendation.
10. Such other matters as authorized by law. (Bills were signed by committee members.)

A motion was made by Supervisor Erickson and seconded by Supervisor Lund “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive

Date: 11/22/2004

**No. 8e-- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF OCTOBER 27, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session (**non-budget items**) on October 27, 2004, and recommends the following motions.

**Land Conservation Subcommittee**

1. Columbia County Resolution (#39-04) regarding: Calling for the Government to Require that the Wisconsin Department Commerce Revise the Milk Volume Production (MV) program to Protect Water Quality. (Referred from Legislative Sub Committee.) Approve Resolution and send to Administration.
2. Waushara County Resolution (#26-09-04) regarding: Resolution to Oppose DNR the use of Wildlife Damage Funds for CWD Research. (Referred from Legislative Sub Committee.) Approve resolution and send to Administration.
3. Director’s Report. (No Director’s Report.)

**Planning, Development and Transportation Committee**

1. Review minutes of:
  - a) Solid Waste Board (8/9/04).  
Approve.
2. Planning Commission – Communication from Supervisor Dan Haefs regarding: Request review of status of selling excess land for development at the Mental Health location per County Board approval of December 2003. (Referred from Special County Board meeting of September 29, 2004.) Have this agenda item on for next month.
3. Planning Commission – Resolution regarding: Authorizing an Application for a Wisconsin Community Development Block Grant for Economic Development from the Wisconsin Department of Commerce. Committee approved. See Resolutions, Ordinances November County Board.
4. Highway – Communication from Supervisor Van Den Heuvel regarding: Change speed limit on Nicolet in the Green Bay city limits from 35 mph to 25 mph with a “no passing zone” in addition. (Referred from October County Board.) Receive and place on file.

5. Audit of Bills. Committee audited bills.

A motion was made by Supervisor Krueger and seconded by Supervisor Dantine “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 11/22/2004

No. 8f -- **REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF OCTOBER 26, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session (**non-budget items**) on October 26, 2004, and recommends the following motions:

1. Review minutes and reports of:
  - a) Local Emergency Planning Committee (9/14/04).
  - b) Volunteers in Probation – Monthly Statistics (August 2004).Receive and place on file items a-b.
2. Public Safety Communications – Follow up on Brown County Warning Sirens policy. Receive and place on file.
3. Public Safety Communications – Policy regarding: Hazardous Materials Claims. To hold.
4. Audit of bills. Approve audit of bills.

A motion was made by Supervisor Clancy and seconded by Supervisor Kaye “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 11/22/2004

No. 8g -- **REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF NOVEMBER 1, 2004 (non-budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session (**Sheriff-non-budget items**) on November 1, 2004, and recommends the following motions:



1. Sheriff – Update from Health Professional Services regarding: Medical services in Brown County Jail. Refer these costs to Administration for accurate figures and to have those comparison figures available for our next meeting of Public Safety.
2. Sheriff – Jail Questions as submitted by Supervisor Nicholson from last meeting. (Held from previous meeting.) Receive and place on file.
3. Sheriff – Communication from Supervisor Nicholson regarding: Review the consolidation of the two existing jails into one by closing the Huber jail (downtown) on Walnut Street. (From previous meeting to Don Hein/Administration for update of figures.) No action.
4. Sheriff – Key Factor Report 2004 with Jail Average Daily Population by month and overtime by expenditures by division/session 2004 – for October 2004 meeting. Receive and place on file.
5. Sheriff – Review Chief Medical Nurse Position. Hold until next month.
6. Sheriff – Resolution regarding: 2005 County-Tribal Law Enforcement Grant. Committee approved. See Resolutions, Ordinances November County Board.
7. Sheriff's report. Receive and place on file.

A motion was made by Supervisor Kaye and seconded by Supervisor Clancy “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 11/22/2004

**No. 9 -- Resolutions, Ordinances**

**No. 9a -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (KELLY J. STEVENS AND KRISTEN MIKOVICH)**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim and Claim was filed on August 11, 2004, in the Brown County Clerk's Office; and

WHEREAS, said Notice of Claim alleges that Kelley J. Stevens and Kristen Mikovich, sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Kelley J. Stevens and Kristen Mikovich, be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimants, Kelley J. Stevens and Kristen Mikovich, and their attorney, Thomas M. Olejniczak, as a notice of disallowance.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Lund seconded by Supervisor Vander Leest **“to adopt”**. Voice vote taken. Supervisor Moynihan abstained from voting because he knows one of the claimants. Motion carried.

Approved by:           \s\ Carol Kelso, County Executive           Date: 11/22/2004

**No. 9b -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (SBC AMERITECH) – AUGUST 17, 2004**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim and Claim was filed on September 21, 2004, in the Brown County Clerk’s office; and

WHEREAS, said Notice of Claim alleges that SBC Ameritech, sustained damages on August 17, 2004, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel’s office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by SBC Ameritech for damages alleged on August 17, 2004, be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, SBC Ameritech, as a notice of disallowance.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Graves and seconded by Supervisor Beyl **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:           \s\ Carol Kelso, County Executive           Date: 11/22/2004

No. 9c --      **RESOLUTION REGARDING: AUTHORIZING AN APPLICATION FOR  
A WISCONSIN COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
ECONOMIC DEVELOPMENT FROM THE WISCONSIN DEPARTMENT  
OF COMMERCE**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Brown County participates in the Wisconsin Community Development Block Grant for Economic Development program; and

WHEREAS, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Planning, Development and Transportation Committee has recommended that an application be submitted to the State of Wisconsin for the following project:

A forgivable loan of \$500,000 to Georgia-Pacific to provide training to existing employees in Green Bay that will result in the retention of over 3,500 paper industry jobs and will facilitate over \$20,000,000 in new private investment; and

WHEREAS, it is necessary for the Brown County Board of Supervisors to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the Brown County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named project; and the County Executive is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Brown County Planning Department to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Respectfully submitted,  
PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Krueger and seconded by Supervisor Krueger “to adopt”. Voice vote taken. Supervisor Moynihan abstained because this resolution involves his employer. Motion carried.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

**No. 9d -- RESOLUTION REGARDING: 2005 COUNTY-TRIBAL LAW ENFORCEMENT GRANT**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Department of Justice will make available \$27,227 for a joint County-Tribal Law Enforcement grant to be shared between Brown County and the Oneida Nation; and

WHEREAS, the grant would allow both agencies to work together in a spirit of cooperation and sharing of resources which allow the agencies to address issues in law enforcement and public safety that affect Brown County as a whole and the Native American population and other minority populations; and

WHEREAS, approximately half of the grant funds would be used to purchase law enforcement equipment for the Sheriff’s Department, as designated in the 2005 budget; and

WHEREAS, remaining funds would be used for items deemed reasonable and necessary by the Oneida Nation for public safety purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that Brown County will continue working cooperatively with the Oneida Nation in the area of public safety and law enforcement and will participate in the 2005 County-Tribal Law Enforcement Grant.

BE IT FURTHER RESOLVED, that the Brown County Sheriff’s Department’s 2005 budget already reflects the County’s portion of grant revenues and expenditures in the amount of \$13,300 representing Brown County’s share, negating the need for any additional budget modification.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Kaye and seconded by Supervisor Zima “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

**No. 10 --        Such other matters as authorized by law. None.**

**No. 11 --        Bills over \$10,000 for period ending November 1, 2004.**

A motion was made by Supervisor Collins and seconded by Supervisor Johnson **“to pay the bills over \$10,000 for period ending November 1, 2004”**. Voice vote taken. Motion carried unanimously with no abstentions.

**\*\* 10:00 A.M. – PUBLIC HEARING ON 2005 BUDGET \*\***

1. Amy Schueckler, M.D., 2126 William Francis Ct., Green Bay, spoke against budget allocation for YWCA Teen Parent Program.
2. Richard Parins, Brown County Taxpayers Association, 2875 Gentle Hills Ct., De Pere, spoke against budget increases.
3. David Nelson, 425 Scott Dr., Green Bay, spoke in favor of the Proposed Brown County Budget.
4. Fr. Bill Ribbens, 1016 N. Broadway St., De Pere, spoke on the Brown County Budget.
5. Dawn Miller-Duval, 1081 Shadow Ln., Green Bay, spoke in favor of the YWCA Teen Parent Center.
6. Dave Johnson, 724 Park St., Green Bay, spoke in favor of the Brown County Budget as presented; and spoke against the increase in employee benefits.
7. Patty Payette, 813 W St. Francis Rd., De Pere, spoke in favor of the YWCA Teen Parent Center.
8. Richard Koltz, 2372 Day St., Greenleaf, WI spoke in favor of continued funding of the Brown County Fair.
9. Jane Specht, 3947 Oak Orchard, Green Bay, spoke in favor of the YWCA Teen Parent Center.
10. Andrew Wagner, 2617 Van Beek Rd., Green Bay, spoke in favor of the Teen Court.
11. Richard Carlstedt, 1640 Dancing Dunes Dr., Green Bay, spoke against increased taxes.
12. Jonathan Anderson, 1845 S Overland Road, Hobart, spoke in favor of the Teen Court.
13. Patrick Kenny, 832 S Maple St., Green Bay, spoke of new school buildings and excess police costs.
14. Bonnie Hoeft, 711 Waubaunuqua Trail, Green Bay, spoke against the YWCA Teen Pregnancy Funding.
15. Emily Bielinski, 372 Kenny St., Green Bay, spoke in support of Teen Court.
16. Jenna Weber, 2144 Balsam Way, Green Bay, spoke in support for Teen Court.
17. Terry Van Hout, 2308 Utah Ave., Green Bay, spoke in favor of continued efficient usage of the Brown County Survey Department
18. Jill Diedrick, 3316 East River Dr., Green Bay, spoke in favor of Teen Court and the VIP Program.
19. Craig Huxford, 2905 Bay Settlement Rd., Green Bay, spoke in favor of Teen Court.
20. Melissa Blazek, 31 E 2<sup>nd</sup> St., Clintonville, WI, spoke in favor of the VIP Program.
21. Hank Schultz, 2162 Jen Rae Rd., Green Bay, spoke in favor of the VIP Program.
22. Mike Saharsky, 6121 Sandy Cove Rd., Luxemburg, spoke in favor of Police protection for the town residents.

23. Mary Ellen Marchant, 617 E. Briar Ln., Green Bay, spoke in favor of Volunteers in Probation and Teen Court.
24. Walter R Grunewald, 190 Rosemont Dr., Green Bay, spoke in favor of Volunteers in Probation.
25. Alice Daul, 4398 Hwy PP, De Pere, spoke in favor of keeping the extra Brown County Traffic Officers in the budget.
26. David Chrouser, 3357 Lineville Rd., spoke in favor of retaining the County Surveyors Office.
27. Les Van Horn, 832 Kellogg St., spoke in favor of the Brown County Survey Office; retaining positions cut in proposed Budget.
28. Irvin Saharsky, 4107 Allen Rd., Green Bay, spoke in favor of adding a sheriff officer for the towns.
29. Mary Marquardt, 2814 Continental Dr., Green Bay, spoke on County Surplus Funds and Services provided to Brown County.
30. Albert Christensen, 805 Park St., Wrightstown, spoke in favor of adding an additional police officer.
31. Michael Geiger, 1435 Wayside Rd., Greenleaf, spoke in favor of adding an additional officer.

Public Hearing concluded at 11:22 a.m.

## 12. REVIEW OF 2005 BUDGET AND BUDGET RECOMMENDATIONS BY STANDING COMMITTEES.

### No. 12a -- REPORT OF ADMINISTRATION COMMITTEE OF OCTOBER 27, 2004 (budget items)

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session (**budget items**) on October 27, 2004, and recommends the following motions:

1. **Clerk** – Review of 2006 department budget. Approve budget as presented.
2. **Corporation Counsel** – Review of 2005 department budget. Approve budget as presented.
3. **Department of Administration** – Review of 2005 department budget. Approve budget as amended.
4. **Facility Management** – Review of 2005 department budget. Approve budget as presented.
5. **Human Resources** – Review of 2005 department budget. Approve budget as presented.
6. **Treasurer** – Review of 2005 Department budget. Approve budget as presented.

## **Year 2005 Nondivisional Budgets Review**

7. Debt Service Fund. Approve as presented.
8. Capital Projects Reserve Fund. Approve Capital Projects Reserve Fund.
9. Capital Projects Bonding. Approve Capital Projects Bonding.
10. Capital Projects Funds. Approve Capital Projects Funds.
11. Taxes and Special Revenues. Approve Capital Projects Funds.
12. Trust, Agency Special Revenue & Certain Internal Service Funds. Approve as presented.

A motion was made by Supervisor Collins and seconded by Supervisor Beyl **“to adopt the recommendations of the Administration Committee Budgets”**.

Supervisor Lund asked for a correction in #6 of the Administration Committee minutes. (#6 was approval of the Budget of the County Clerk.) The minutes state the motion to approve was made by Supervisor Collins and seconded by Supervisor Collins. Supervisor Lund asked that the minutes be corrected to reflect the motion was made by Supervisor Collins and seconded by Supervisor Backmann.

A motion was made by Supervisor Collins and seconded by Supervisor Backmann **“to adopt the recommendations of the Administration Committee Budgets as amended”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

### **No. 12b -- REPORT OF PUBLIC SAFETY COMMITTEE OF OCTOBER 26, 2004 (budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session (**budget items**) on October 26, 2004, and recommends the following motions:

1. Circuit Courts/Clerk of Courts – Review of 2005 department budget. Approve Court System Budget.
2. District Attorney – Review of 2005 department budget.
  - a) \*\* Approve VIP (\$54,608) (\$46,508.00) and Teen Court (\$79,418) budgets and include it with the District Attorney’s department budget.

\*\* AS PER THE COUNTY BOARD THE VIP PROGRAM WAS APPROVED AT \$46,508.00, AT THEIR NOVEMBER 8, 2004 MEETING.

- b) Approve the District Attorney’s department budget. Ayes: 3 (Clancy, Kaye, Zima); Nays: 2 (Van Den Heuvel, Nicholson). Motion Carried.

3. Medical Examiner – Review of 2005 department budget. Approve Medical Examiner's department budget.
4. Public Safety Communications – Review of 2005 department budget. Approve Public Safety Communications department budget.

A motion was made by Supervisor Frohna and seconded by Supervisor Clancy **“to adopt the recommendations of the Public Safety Committee Budgets”**.

Supervisor Backmann requested item #2 be taken separately.

Remainder of the report passed unanimously with no abstentions.

Supervisor Nicholson requested a correction to the Public Safety Minutes on page 3. The change being that Supervisors Nicholson and Van Den Heuvel voted “no”.

A motion was made by Supervisor Clancy and seconded by Supervisor Zima **“to change the minutes at the next meeting.”** Voice vote taken. Motion carried unanimously with no abstentions.

Item #2 -- District Attorney – Review of 2005 department budget. COMMITTEE ACTION:  
a) Approve VIP (\$54,608 and Teen Court (\$79,418) budgets and include it with the District Attorney's department budget. b) Approve the District Attorney's budget. Ayes: 3 (Clancy, Kaye, Zima); Nays: 2 (Van Den Heuvel, Nicholson).  
Motion Carried.

Supervisor Backmann said he took this separately because we do not have any history or documentation to compare with the information before us. Additionally, Supervisor Backmann stated that we have not been given information to compare against for students who just go through Municipal Court. Supervisor Backmann said he cannot support funding this program; that he feels other fund-raising options should be looked at.

A motion was made by Supervisor Evans and seconded by Supervisor Backmann **“to suspend the rules to allow interested parties to address the Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Teen Court Staff answered questions of County Board Members.

Supervisor Evans motioned we go back to regular order of business, seconded by Supervisor Collins.

Voice vote taken **“to return to the regular order of business”**. Motion carried unanimously with no abstentions.

Discussion and questions followed.

A motion was made by Supervisor Lund and seconded by Supervisor Hinz **“to approve a \$40.00 fee for Volunteers in Probation Program recipients”**.

Discussion on motion followed. After questions and answers, Supervisor Lund **“withdrew his motion to increase the fee to \$40.00”** and Supervisor Hinz **“withdrew his second to Supervisor Lund's motion”**.

Discussion followed.

A motion was made by Supervisor Van Den Heuvel and seconded by Supervisor Nicholson **“to increase fees for Teen Court from \$25.00 flat fee to \$75.00 flat fee and the Volunteer in Probation Program from \$15.00 per month to \$50.00 per month.”**

Discussion on motion.



A motion by substitution was made by Supervisor Lund and seconded by Supervisor Theisen **“to raise the fee to \$20.00 per month for the Volunteers in Probation Program”**. Vote taken. Roll Call #12b(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Vander Leest, Dantine, Frohna, Backmann, Van Deurzen, Moynihan, Zabel, Scray, Hinz, Lund

Nays: Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Collins, Fleck, Clancy, Fewell

Abstain: Beyl

Total Ayes: 14 Total Nays: 11 Abstain: 1

Motion carried **“to raise the fee to \$20.00 per month for the Volunteers in Probation Program”**.

Return to motion by Supervisor Van Den Heuvel second by Supervisor Nicholson **“to increase fees for Teen Court from \$25.00 flat fee to \$75.00 flat fee.”** Vote taken. Roll Call #12b(2):

Ayes: Van Den Heuvel, Nicholson, Vander Leest, Moynihan, Zabel, Scray, Lund

Nays: Graves, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Hinz, Fewell

Total Ayes: 7 Total Nays: 19

Motion defeated **“to increase fees for Teen Court from \$25.00 flat fee to \$75.00 flat fee”**.

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Den Heuvel **“to eliminate the Volunteers in Probation Program and the Teen Court from the Brown County Budget”**. Roll Call #12b(3):

Ayes: Van Den Heuvel, Graves, Nicholson, Backmann, Moynihan, Zabel, Scray

Nays: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Van Deurzen, Fleck, Clancy, Hinz, Lund, Fewell

Total Ayes: 7 Total Nays: 19

Motion defeated **“to eliminate the Volunteers in Probation Program and the Teen Court for the Brown County Budget”**.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Nicholson **“to request to increase fees for Teen Court to \$50.00”**. Vote taken. Roll Call #12b(4):

Ayes: Van Den Heuvel, Nicholson, Vander Leest, Backmann, Moynihan, Zabel, Scray, Lund

Nays: Graves, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, Frohna, Collins, Beyl, Van Deurzen, Fleck, Clancy, Hinz, Fewell

Total Ayes: 8 Total Nays: 18

Motion defeated **“to request to increase fees for Teen Court to \$50.00”**.

A motion was made by Supervisor Johnson and seconded by Supervisor Kaye **“to accept Teen Court as Committee recommended in the amount of \$79,418”**. Vote taken. Roll Call #12b(5):

Ayes: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, Frohna, Collins, Beyl, Van Deurzen, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Vander Leest, Backmann, Moynihan, Zabel, Scray

Total Ayes: 18 Total Nays: 8

Motion carried **“to accept Teen Court as Committee recommended in the amount of \$79,418”**.

A motion was made by Supervisor Haefs and seconded by Supervisor Kaye **“to amend \$37,408.00 to Volunteers in Probation Program”**. Vote taken. Roll Call #12b(6):

Ayes: Theisen, Krueger, Haefs, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Van Deurzen, Fleck, Clancy, Zabel, Scray, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Erickson, Kaye, Zima, Evans, Backmann, Moynihan

Total Ayes: 17 Total Nays: 9

Motion carried **“to amend \$37,408.00 to Volunteers in Probation Program”**.

A motion was made by Supervisor Fewell and seconded by Supervisor Clancy **“to reconsider and raise the Volunteers in Probation Program to \$46,508.00”**. Vote taken. Roll Call #12b(7):

Ayes: Theisen, Krueger, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Backmann, Van Deurzen, Moynihan, Zabel, Scray  
Supervisor Haefs was away from his seat and did not vote on this item.

Total Ayes: 17 Total Nays: 8 Did Not Vote: 1

Motion carried **“to reconsider and raise the Volunteers in Probation Program to \$46,508.00”**.

A motion was made by Supervisor Nicholson and seconded by Supervisor Van Den Heuvel **“to place Volunteers in Probation and Teen Court back to the Sheriff’s Budget”**.

A motion was made by Supervisor Zima and seconded by Supervisor Kaye **“to place the Volunteers in Probation and Teen Court in the District Attorney’s Budget”**. Voice vote taken. Motion carried with Supervisors Van Den Heuvel and Nicholson requesting to be recorded voting “nay”.

Approved by: \s\ Carol Kelso, County Executive Date: 11/22/2004

**No. 12c -- REPORT OF PUBLIC SAFETY COMMITTEE OF NOVEMBER 1, 2004**  
**(Sheriff – budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session (**Sheriff – budget items**) on November 1, 2004, and recommends the following motions:

1. Sheriff – Review of 2005 department budget.
  - a) To fund both, Patrol Officer and Drug Task Force Officer.
    - i) Separation of motion:
      - (i) Add Traffic Officer. Ayes: 2 (Clancy, Kaye); Nays: 3 (Zima, Vanden Heuvel, Nicholson). Motion defeated.
      - (ii) Add Drug Task Force Officer. Ayes: 4 (Clancy, Kaye, Zima, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.

b) \* That we specifically dedicate one position for Traffic Control Officer and have offsetting revenues to cover the entire cost of that position and review it after six months. Ayes: 3 (Zima, Clancy, Kaye); Nays: 2 (Van Den Heuvel, Nicholson). Motion Carried.

\* THE ABOVE ITEM #1b WAS DELETED AS PER THE COUNTY BOARD ON NOVEMBER 8, 2004.

c) Approve budget as amended. Ayes: 4 (Zima, Kaye, Clancy, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.

d) Reopen budget. Ayes: 3 (Zima, Kaye, Clancy); Nays: 2 (Vanden Heuvel, Nicholson). Motion Carried.

e) \*\* Add 5 full-time correctional officers to provide a jail relief pool and to offset that cost by equal reduction in Sheriff overtime (zero levy). Ayes: 4 (Clancy, Zima, Kaye, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.

\*\* ITEM #1E WAS SEPARATED AS PER THE COUNTY BOARD ON NOVEMBER 8, 2004.

ITEM #1E(i) – ADD 5 FULL-TIME CORRECTIONAL OFFICERS AT A\$263,087.00.

ITEM #1E(ii)—REDUCE THE OVERTIME SALARIES AND FRINGES BY \$263,778.00.

ITEM #1E(i) AND #1E(ii) WERE AMENDED AS ABOVE AND APPROVED BY THE COUNTY BOARD ON NOVEMBER 8, 2004.

A motion was made by Supervisor Krueger and seconded by Supervisor Beyl **“to adopt the recommendations of the Public Safety Committee Budgets”**.

Supervisor Van Deurzen requested items 1b and 1e be taken separately.

Supervisor Dantine requested item 1a be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #1a -- To fund both, Patrol Officer and Drug Task Force Officer. Separation of Motions. COMMITTEE ACTION: (i) Add Traffic Officer. Ayes: 2 (Clancy, Kaye); Nays: 3 (Zima, Van Den Heuvel, Nicholson). Motion defeated. (ii) Add Drug Task Force Officer. Ayes: 4 (Clancy, Kaye, Zima, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.

A motion was made by Supervisor Dantine and seconded by Supervisor Johnson **“to add a Patrol Officer to the Sheriff’s Department at a cost of \$78,729.00”**.

After hearing additional information, Supervisor Dantine withdrew his motion.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Evans **“to adopt item #1a of the Sheriff’s Budget Report.”** Voice vote taken. Motion carried with Supervisor Van Den Heuvel voting “no”.

Item #1b -- That we specifically dedicate one position for Traffic Control Officer and have offsetting revenues to cover the entire cost of that position and review it after six months. Ayes: 3 (Zima, Clancy, Kaye); Nays: 2 (Van Den Heuvel, Nicholson). Motion Carried.

Supervisor Van Deurzen explained he took both 1b and 1e separately so he could get more information and some questions answered.

After discussion, a motion was made by Supervisor Collins and seconded by Supervisor Clancy **“to remove and have offsetting revenues to cover the entire cost of that position”**. Vote taken. Roll Call #12c(1):

Ayes: Krueger, Haefs, Erickson, Kaye, Zima, Johnson, Dantine, Collins, Beyl, Backmann, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Evans, Vander Leest, Frohna, Van Deurzen, Moynihan, Zabel, Scray

Total Ayes: 15 Total Nays: 11

Motion carried **“to remove and have offsetting revenues to cover the entire cost of that position”**.

Item #1e – Add 5 full-time correctional officers to provide a jail relief pool and to offset that cost by equal reduction in Sheriff overtime (zero levy). Ayes: 4 (Clancy, Zima, Kaye, Van Den Heuvel); Nays: 1 (Nicholson). Motion Carried.

A motion was made by Supervisor Evans and seconded by Supervisor Kaye **“to adopt item #1e”**.

Sheriff Kocken addressed the Board and answered several questions.

A motion was made by Supervisor Theisen and seconded by Supervisor Kaye **“(1) to separate the two items and have the first vote be on adding five full-time correctional officers at \$263,087.00 and to reduce Sheriff’s overtime by \$263,087.00”**. Vote taken. Roll Call #12c(2):

Ayes: Krueger, Haefs, Erickson, Kaye, Zima, Evans, Dantine, Frohna, Collins, Beyl, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Vander Leest, Johnson, Backmann, Van Deurzen, Moynihan, Zabel, Scray

Total Ayes: 15 Total Nays: 11

Motion carried **“to separate two items and have the first vote be on adding five full-time correctional officers at \$263,087.00”**.

Supervisor Haefs made an amendment to Supervisor Theisen’s motion and seconded by Supervisor Krueger **“to reduce overtime salaries and fringes by \$236,778.00”**. Vote taken. Roll Call #12c(3):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Lund, Fewell

Nays: Collins, Backmann, Hinz

Total Ayes: 23 Total Nays: 3

Motion carried **“to reduce overtime salaries and fringes by \$237,778.00”**.

Approved by: \s\ Carol Kelso, County Executive

Date: 11/22/2004

No. 12d -- **REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION  
AND LAND CONSERVATION SUBCOMMITTEE OF OCTOBER 27, 2004  
(budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE (**budget items**) met in regular session on October 27, 2004, and recommends the following motions:

**Land Conservation Subcommittee**

1. Land Conservation – Review of 2005 Department budget. Approve Land Conservation budget as submitted. Ayes: 5 (Dantinne, Erickson, Fleck, Krueger, Scray); Nays: 1 (Vanden Plas). Motion Carried.

**Planning, Development and Transportation Committee**

1. **Airport** – Review of 2005 department budget. Approve budget as presented and send to County Board.
2. **Highway** – Review of 2005 department budget. Approve.
3. **Planning** – Review of 2005 department budget.
  - a) Put \$15,000 back in the budget for an Economic Development Initiative, to go through the Planning Department with quarterly progress reports given.
  - b) Approve budget as amended.
4. **Port and Solid Waste** – Review of 2005 department budget. Approve Port and Solid Waste budget.
5. **Register of Deeds** – Review of 2005 department budget. Approve.
6. \*\* **Survey** – Review of 2005 department budget. Approve revised budget with an amendment that \$40,000 be put back in for maintenance of monumentation and for contract service to be determined by the Property Listing Office. Ayes: 4 (Dantinne, Erickson, Fleck, Krueger); Nays: 1 (Scray). Motion Carried.

\*\* ITEM #6 WAS AMENDED AND APPROVED BY THE COUNTY BOARD ON NOVEMBER 8, 2004, AS FOLLOWS:

- (1) Increase survey fees for a total of \$73,600 – see individual rates and fees for each change.
  - (2) Delete Revenue from sales of truck \$18,844.
  - (3) Add \$600 for gas and oil and \$500 for vehicle maintenance.
  - (4) Reinstate 1.0 FTE GIS Specialist position for \$51,966.
  - (5) Delete \$40,000 Contracted Services per Committee Report.
7. **UW-Extension** – Review of 2005 department budget. Approve the budget as presented.
  8. **Zoning** – Review of 2005 department budget. Approve Zoning budget.

A motion was made by Supervisor Graves and seconded by Supervisor Beyl **“to adopt the recommendations of the Planning, Development, and Transportation Committee and Land Conservation Subcommittee Budgets”**.

Supervisor Fleck requested item #6 be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #6 -- Survey – Review of 2005 department budget. COMMITTEE ACTION: Approve revised budget with an amendment that \$40,000 be put back in for maintenance of monumentation and for contract service to be determined by the Property Listing Office. Ayes: 4 (Dantinne, Erickson, Fleck, Krueger); Nays: 1 (Scray). Motion Carried.

Supervisor Fleck explained why he took #6 separately. After discussion a motion was made by Supervisor Fleck seconded by Supervisor Frohna **“to increase the survey review for Certified Survey Maps in the Survey Office from \$150.00 to \$300.00 and increase the review fees for Subdivision Plats from \$150.00 plus \$30.00 per lot to \$330.00 and plus \$40.00 per lot; and add revenues of \$73,600”**.

Discussion followed.

A motion was made by Supervisor Fleck and seconded by Supervisor Clancy **“to suspend the rules to allow interested parties to address the Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Staff from our Survey Department answered questions from Board members.

Staff: Jim Wallen, Brown County Property Lister and Pat Ford, Survey Manager.

Others addressing the County Board include: Les Van Horn, Private Land Surveyor, 832 Kellogg Street, Green Bay and Dave Carouser, Private Land Surveyor, 3357 Lineville Road, Green Bay. Both spoke in favor of Supervisor Fleck’s motion.

A motion was made by Supervisor Nicholson and seconded by Supervisor Kaye **“to return to the regular order of business”**. Voice vote taken. Motion carried unanimously with no abstentions.

Vote taken on Supervisor Fleck’s motion **“to increase the survey review for Certified Survey Maps in the Survey Office from \$150.00 to \$300.00 and increase the review fees for Subdivision Plats from \$150.00 plus \$30.00 per lot to \$330.00 and plus \$40.00 per lot; and add revenues of \$73,600”**. Roll Call #12d(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Vander Leest, Johnson, Dantinne, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Scray, Hinz, Lund, Fewell

Nays: Evans, Frohna, Moynihan, Zabel

Total Ayes: 22

Total Nays: 4

Motion carried.

A second motion was made by Supervisor Fleck and seconded by Supervisor Beyl **“to (1) Increase survey fees for a total of \$73,600 – see individual rates and fees for each change; (2) Delete revenue from sale of truck \$18,844; (3) Add \$600 for Gas & Oil and \$500 for vehicle maintenance; (4) Reinstate 1.0 FTE GIS Specialist position for \$51,966; and (5) Delete \$40,000 Contracted Services per Committee Report**. Vote taken. Roll Call #12d(2):

Ayes: Van Den Heuvel, Graves, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Scray, Hinz, Lund, Fewell

Nays: Nicholson, Moynihan, Zabel

Total Ayes: 23

Total Nays: 3

Motion carried.

Approved by: \s\ Carol Kelso, County Executive

Date: 11/29/2004

**No. 12e -- REPORT OF HUMAN SERVICES COMMITTEE OF OCTOBER 25, 2004**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session (**budget**) on October 25, 2004, and recommends the following motions:

1. Comments from the Public:
  - a) Postpone discussion of the entire budget for one week. No vote taken.
  - b) Table the decision to postpone and proceed with those parts of the budget that they can and then make a determination if they need to postpone to further discuss the Human Services section at another date. Vote taken. Ayes: 5 (Evans, Hinz, Van Deurzen, Zabel, Zima); Nays: 2 (Fewell, Frohna). Motion Carried.
2. Syble Hopp School – Review of 2005 department budget. Approve the 2005 Syble Hopp School budget as presented.
3. Veterans’ Services – Review of 2005 department budget. Approve the 2005 Veterans’ Services budget as presented.
4. Aging Resource Center – Review of 2005 department budget. Approve the 2005 Aging Resource Center budget as presented.
5. Health Department – Review of 2005 department budget. Approve the 2005 Health Department budget as presented.
6. Human Services Department – Review of 2005 department budget.
  - a) Support Teen Parent Center Program with \$125,000. Ayes: 3 (Fewell, Frohna, Hinz); Nays: 4 (Van Deurzen, Zabel, Evans, Zima). Motion defeated.
  - b) Approve the YWCA Teen Parent Center Program with \$88,000 to continue the program through June 2005. Ayes: 4 (Fewell, Frohna, Hinz, Zima); Nays: 3 (Van Deurzen, Zabel, Evans). Motion Carried.
  - c) Approve the 2005 Human Services Department budget as presented.

Adopt the 2005 Human Services budget as a whole. Unanimous.

A motion was made by Supervisor Zima and seconded by Supervisor Hinz “**to adopt the recommendations of the Human Services Committee Budgets**”.

Supervisor Vander Leest requested item #6b be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #6b -- Human Services Department – Review of 2005 department budget. COMMITTEE ACTION. Item #b – Approve the YWCA Teen Parent Center Program with \$88,000 to continue the program through June 2005. Ayes: 4 (Fewell, Frohna, Hinz, Zima); Nays: 3 (Van Deurzen, Zabel, Evans). Motion Carried.

Supervisor Vander Leest explained why he took item 6b separately; he expressed his opposition to this program. A motion was made by Supervisor Vander Leest and seconded by Supervisor Backmann **“to delete \$88,000 for the Teen Parent Program for the YWCA”**. Vote taken. Roll Call #12e(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Evans, Vander Leest, Johnson, Dantinne, Backmann, Van Deurzen, Moynihan, Zabel, Scray

Nays: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Frohna, Collins, Beyl, Fleck, Clancy, Hinz, Lund, Fewell

Total Ayes: 12 Total Nays: 14

Motion defeated **“to delete \$88,000 for the Teen Parent Program for the YWCA”**.

Discussion followed.

A motion was made by Supervisor Zima and seconded by Supervisor Clancy **“to suspend the rules to allow interested parties to address the Board”**. Voice vote taken. Motion carried unanimously with no abstentions.

Pat Nagel, 1308, Lawe St., Green Bay, Director of Teen Parent Program at the YWCA and Patty Payette, 813 W. St. Francis, De Pere, CEO of YWCA, spoke on behalf of YWCA Teen Parent Program. Both Ms. Payette and Ms. Nagel gave statistics on this Program and, additionally, answered several questions from Board members.

A motion was made by Supervisor Evans and seconded by Supervisor Nicholson **“to return to the regular order of business”**. Voice vote taken. Motion passed.

Discussion followed.

A motion was made by Supervisor Collins and seconded by Supervisor Fleck **“to change \$88,000 funding of Teen Parent Center Program to \$176,000. Funds from purchased Human Services \$50,228,440”**.

Discussion followed. Vote taken. Roll Call #12e(2):

Ayes: Krueger, Zima, Collins, Fleck, Clancy, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Haefs, Erickson, Kaye, Evans, Vander Leest, Johnson, Dantinne, Frohna, Beyl, Backmann, Van Deurzen, Moynihan, Zabel, Scray, Hinz, Lund

Total Ayes: 6 Total Nays: 20

Motion defeated **“to change \$88,000 funding of Teen Parent Center Program to \$176,000. Funds from purchased Human Services \$50,228,440”**.

A motion by substitution was made by Supervisor Zima and seconded by Supervisor Fewell **“to fund the YWCA Teen Parent Center Program at a level of \$125,000”**.

Discussion followed. Vote taken. Roll Call #12e(3):

Ayes: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Collins, Fleck, Clancy, Hinz, Fewell



Nays: Van Den Heuvel, Graves, Nicholson, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Moynihan, Zabel, Scray, Lund

Total Ayes: 11 Total Nays: 15

Motion defeated.

A motion was made by Supervisor Frohna and seconded by Supervisor Beyl **“to accept the recommendation of the Human Services Committee 6b, dated November 8, 2004; the allocation of \$88,000 to the YWCA Teen Parent Center Program”**. Vote taken. Roll Call #12e(4):

Ayes: Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Frohna, Collins, Beyl, Fleck, Clancy, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Graves, Nicholson, Evans, Vander Leest, Johnson, Dantine, Backmann, Van Deurzen, Moynihan, Zabel, Scray

Total Ayes: 14 Total Nays: 12

Motion carried **“to accept the recommendation of the Human Services Committee, #6d, dated November 8, 2004; the allocation of \$88,000 to the YWCA Teen Parent Center Program”**.

Approved by: \s\ Carol Kelso, County Executive Date: 11/29/2004

**No. 12f -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF OCTOBER 28, 2004 (budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session (**budget items**) on October 28, 2004, and recommends the following motions:

1. **Parks:** Review of 2005 Department budget. Approve Parks 2005 department budget.
2. **NEW Zoo:** Review of 2005 Department budget. Approve NEW Zoo's 2005 budget.
3. **Golf Course:** Review of 2005 Department budget.
  - a. Amend budget to incorporate changes in high school rates.
  - b. Approve budget 2005 Golf Course budget.
4. \*\* **Library:** Review of 2005 Department budget. Approve 2005 Library budget. Ayes: 3 (Graves, Theisen, Vander Leest); Nays: 1 (Johnson); Excused: 1 (Van Deurzen). Motion Carried.

\*\* ITEM #4 WAS AMENDED AS FOLLOWS:

Delete the Assistant Director (\$98,437.00) position and add a Librarian III (\$68,297.00) position for a net savings of \$30,140.00, of that savings, \$20,000 would go to materials and books, with a net savings of \$10,140.00.

THE ABOVE ITEM #4 WAS AMENDED AND APPROVED BY THE COUNTY BOARD ON NOVEMBER 8, 2004.

5. **Museum:** Review of 2005 Department budget. Approve 2005 Museum budget.

A motion was made by Supervisor Graves and seconded by Supervisor Nicholson **“to accept the recommendations of the Education and Recreation Committee Budgets”**.

Supervisor Frohna requested item #4 be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions. Upon addressing Item #4, Supervisor Frohna deferred to Supervisor Johnson at this time to address item #4.

A motion was made by Supervisor Johnson and seconded by Supervisor Zima **“to delete the position of Assistant Library Director (\$98,437.00) position and adding a Librarian III (\$68,297.00) for a net savings of \$30,140.00, of that savings, \$20,000 would go to materials and books, with a net savings of \$10,140.00.”**

Discussion followed.

A motion was made by Supervisor Collins and seconded by Supervisor Fewell **“to fund Assistant Director for ½ year and fund Librarian III for full year”**.

After discussion and questions, Supervisor Collins withdrew his motion and Supervisor Fewell withdrew his second.

Vote taken on Supervisor Johnson’s motion **“to delete the position of Assistant Library Director (\$98,437.00) position and adding a Librarian III (\$68,297.00) position for a net savings of \$30,140.00, of that savings, \$20,000 would go to materials and books, with a net savings of \$10,140.00.”**

Prior to voting, Supervisor Frohna explained that he will be abstaining from voting on this motion because of his closeness with some of the parties involved with the Library. Vote taken. Roll Call #12f(1):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Collins, Backmann, Van Deurzen, Clancy, Zabel, Scray, Hinz, Lund, Fewell

Nays: Beyl, Fleck, Moynihan

Abstain: Frohna

Total Ayes: 22                      Total Nays: 3                      Abstain: 1

Motion carried **“to delete the Assistant Library Director (\$98,437.00) position and add a Librarian III (\$68,297.00) position for a net savings of \$30,140.00, of that savings, \$20,000 would go to materials and books, with a net savings of \$10,140.00”**.

Approved by:           \s\ Carol Kelso, County Executive                                Date: 11/22/2004

**12g -- REPORT OF EXECUTIVE COMMITTEE OF NOVEMBER 1, 2004 (budget items)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session (**budget items**) on November 1, 2004, and recommends the following motions:

1. County Executive – Review of 2005 department budget. Approve budget and send it on to the County Board for approval
2. Board of Supervisors, Review of 2005 department budget. Approve Board of Supervisors 2005 budget and send it on to the County Board for approval.

A motion was made by Supervisor Lund and seconded by Supervisor Van Deurzen “**to adopt**”.  
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:       /s/ Carol Kelso, County Executive      

Date: 11/22/2004

### **13. FINAL BUDGET VOTE (as amended).**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED, that the following sums of money be raised for the ensuring year:

School for Handicapped Children	\$ 2,160,139
Health	2,043,7236
County Aid Bridges (Section 81.38, Wis. Stats.)	391,000
Debt Service Fund	8,857,321
All Other County Taxes	<u>56,238,972</u>

**LEVY** **\$69,691,168**

BE IT FURTHER RESOLVED, that the County shall apportion the tax for the school for Handicapped Children on all districts participating; and

BE IT FURTHER RESOLVED, that the County shall apportion the tax for the Health Department on all districts participating; and

BE IT FURTHER RESOLVED, that the County shall apportion the tax for bridges under Section 81.38, Wis. Stats., on the taxable property of the taxing districts participating; and

BE IT FURTHER RESOLVED, that the County shall enter in the Tax Apportionment, State Special Charges for Forestry Mill Tax, Section 70.58(2), Wis. Stats., in the amount of \$3,105,979; and

BE IT FURTHER RESOLVED, that the County shall enter in the Tax Apportionment the 20% Highway County Trunk Bridge assessments as authorized legal taxes against any district in the County, under Section 83.04(2), Wis. Stats., and

BE IT FURTHER RESOLVED, that the budgeted appropriations for purposes of Section 65.90, Wis. Stats., are attached hereto as Exhibit A, and the detailed budget for purposes of Section 59.031(6), Wis. Stats., is the document of which this is part; and

BE IT FURTHER RESOLVED, that the Director of Administration is authorized to make any technical corrections to the budget that are necessary.

Submitted by,  
BROWN COUNTY BOARD OF SUPERVISORS

Human Services Budget.

Supervisor Fewell requested to address the W-2 Program in the Human Services Budget. Discussion followed.

A motion was made by Supervisor Fewell and seconded by Supervisor Krueger **“to maintain the W-2 Program through 2005”**.

Discussion followed.

A motion was made by Supervisor Fewell and seconded by Supervisor Clancy **“to refer his written motion ‘to maintain the W-2 Program through 2005’ back to the Human Services Committee”**. Voice vote taken. Motion to refer defeated.

A motion was made by Supervisor Zima and seconded by Supervisor Collins **“that the administration request for up to \$50,228,438, for Purchase of Services for 2005 Human Services Contracts be approved subject to final approval by the Human Services Committee and the County Board”**.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Van Den Heuvel **“to call the question”**. Vote taken. Roll Call #13(1):

Ayes: Van Den Heuvel, Nicholson, Vander Leest, Frohna, Van Deurzen, Scray

Nays: Graves, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Johnson, Dantine, Collins, Beyl, Backmann, Fleck, Clancy, Moynihan, Zabel, Hinz, Lund, Fewell

Total Ayes: 6 Total Nays: 20

Motion defeated **“to call the question”**.

Back to discussion on Supervisor Zima’s motion. Upon discussion, Corporation Counsel, John Jacques ruled Supervisor Zima’s motion invalid.

Chairman Moynihan then ruled Supervisor Zima’s motion invalid. The Chair’s decision is being challenged on ruling Supervisor Zima’s motion invalid. Chairman Moynihan explained a “yes” vote would be a vote in favor of his ruling and a “no” vote would be in favor of challenging the Chair. Vote taken. Roll Call #13(2):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Erickson, Evans, Vander Leest, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Moynihan, Zabel, Scray, Hinz, Lund

Nays: Krueger, Haefs, Kaye, Zima, Collins, Fleck, Clancy, Fewell

Total Ayes: 18 Total Nays: 8

Motion defeated to challenge the chair.

A motion was made by Supervisor Frohna and seconded by Supervisor Beyl **“to adopt the Budget as amended”**.

A motion was made by Supervisor Haefs and seconded by Supervisor Backmann **“to delete \$15,000.00 from Economic Development Item #9a in the Planning Department Budget”**.

After discussion, Supervisor Haefs withdrew his motion; Supervisor Backmann withdrew his second to Supervisor Haefs motion.

A motion was made by Supervisor Zima and seconded by Supervisor Erickson **“to reconsider the Budget”**. Vote taken. Roll Call #13(3):

Ayes: Graves, Nicholson, Haefs, Erickson, Kaye, Zima, Vander Leest, Backmann, Moynihan, Scray

Nays: Van Den Heuvel, Theisen, Krueger, Evans, Johnson, Dantine, Frohna, Collins, Beyl, Van Deurzen, Fleck, Clancy, Zabel, Hinz, Lund, Fewell

Total Ayes: 10 Total Nays: 16

Motion defeated **“to reconsider the Budget”**.

A motion was made by Supervisor Haefs and seconded by Supervisor Vander Leest **“to transfer \$322,134 from the General Fund to the Budget as revenue”**. Vote taken. Roll Call #13(4):

Ayes: Haefs, Vander Leest, Johnson, Clancy, Zabel

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Erickson, Kaye, Zima, Evans, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Moynihan, Scray, Hinz, Lund, Fewell

Total Ayes: 5 Total Nays: 21

Motion defeated **“to transfer \$322,134 from the General Fund to the Budget as revenue”**.

Return to Supervisor Frohna’s motion **“to adopt the Budget as amended”**. Vote taken. Roll Call #13(5):

Ayes: Graves, Theisen, Haefs, Erickson, Kaye, Evans, Johnson, Dantine, Frohna, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Zabel, Hinz, Lund, Fewell

Nays: Van Den Heuvel, Nicholson, Vander Leest, Moynihan, Scray

Abstain: Krueger, Zima, Collins

Total Ayes: 18 Total Nays: 5 Abstain: 3

Motion carried **“to adopt the Budget as amended”**.

At this time, Mr. Terry Haut, Department of Administration, gave the final figures for the 2005 Adopted Budget for Brown County.

Property Tax Levy	\$ 69,691,168
All Other Revenue	137,942,387
Total Expenditures	207,633,555

2005 Property Tax Rate per \$1,000	4.6618
Decrease of \$.2569 from 2004 or -5.14%	

Approved by:       /s/ Carol Kelso, County Executive      

Date: 11/29/2004

**No. 14 -- Closing Roll Call:**

Present: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Kaye, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Fleck, Van Deurzen, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Total Present: 26

**No. 15 -- ADJOURNMENT TO WEDNESDAY, DECEMBER 15, 2004, AT 7:00 P.M., LEGISLATIVE ROOM 203, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.**

A motion was made by Supervisor Nicholson and seconded by Supervisor Frohna **“to adjourn to the above date and time.”** Voice vote taken. Motion carried unanimously with no abstentions.

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\s\ DARLENE K. MARCELLE  
Brown County Clerk